UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/271
6 August 1997
ENGLISH
ORIGINAL: ARABIC/ENGLISH/
FRENCH

Fifty-second session
Item 67 of the provisional agenda*

ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the Secretary-General

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* A/52/150 and Corr.1.

** On behalf of the European Union and the associated countries Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. Iceland and Norway have also aligned themselves with this reply.

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I. INTRODUCTION

1. In paragraph 10 of its resolution 51/41 of 10 December 1996, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region of the Middle East and other concerned States, in accordance with paragraph 7 of resolution 46/30 of 6 December 1991 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. In paragraph 11 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its fifty-second session a report on the implementation of the resolution.

2. The present report is submitted in response to the request contained in paragraph 11 of the resolution.

II. ACTION TAKEN

3. The Secretary-General has continued to attach particular importance to the issue and has, as in previous years, carried out consultations in various ways with concerned parties within and outside the region to explore ways and means of promoting the establishment of a nuclear-weapon-free zone in the Middle East, taking into account in particular the evolving situation in the region.

4. The Secretary-General notes with regret that since his last report, no positive developments have occurred in the consideration of the issue. In fact, the overall political situation in the region has not served further to advance the peace process. Consequently, the Working Group on Arms Control and Regional Security, which was established in the framework of the multilateral peace process in the Middle East, has for some time now been unable to overcome the impasse in its work. The Secretary-General believes that under appropriate circumstances the Working Group could still play a useful role as a forum for discussing a broad range of arms control, disarmament and confidence-building measures, including the establishment of a nuclear-weapon-free zone in the region.

5. For that reason, the Secretary-General strongly urges all concerned parties to review the situation in order to determine possible new approaches and to resume discussions with a view to developing practical concepts that would make it possible to establish as expeditiously as possible a common position. This would serve as a confidence-building measure in itself and would also facilitate the overall peace process. In this connection, the Secretary-General once again emphasizes the readiness of the United Nations to continue to provide any assistance deemed helpful in moving the discussions forward.

6. Pursuant to paragraph 10 of resolution 51/41, replies were received from Egypt, Israel and the Netherlands, on behalf of the European Union and the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. Iceland and Norway

have aligned themselves with the reply by the European Union. A reply was also received from the Syrian Arab Republic.

III. REPLIES RECEIVED FROM GOVERNMENTS

EGYPT

[Original: English]

[6 August 1997]

1. Egypt's commitment to the establishment of a nuclear-weapon-free zone in the Middle East in unquestionable. It was at the request of the Islamic Republic of Iran and Egypt that the item "Establishment of a nuclear-weapon-free zone in the Middle East" was first inscribed on the agenda of the General Assembly in 1974. Since that date, the Assembly has annually adopted a resolution, by consensus since 1980, on this matter. Through the years, Egypt continued to play a consistently leading role in promoting the objective of ridding the Middle East of the threat of nuclear weapons.

2. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and a signatory to the African Nuclear-Weapon-Free Zone Treaty, Egypt has clearly and unambiguously demonstrated its rejection of the nuclear option, which it considers represents a major threat in the Middle East. Egypt notes with satisfaction that the number of NPT States parties from the Middle East has recently increased. Regrettably, Israel chooses to remain outside the Treaty, thereby perpetuating a dangerous imbalance in the region.

3. Egypt is cognizant of the fact that the establishment of a nuclear-weapon-free zone in the Middle East is a difficult task. Indeed, each region of the world has its own characteristics, and each zone must be tailored to suit those characteristics. However, Egypt does not share the view that full-scale peace and fully developed political and economic relations between all States of the region are a prerequisite for the commencement of negotiations on the establishment of a zone. If such an argument were correct, it is unlikely that the Treaty of Tlatelolco or, much more recently, the Treaty of Pelindaba, would ever have been negotiated. Regrettably, conflicts continue to rage in various parts of Africa to this very day, yet such conflicts were not invoked as reasons to prevent negotiations on an African Nuclear-Weapon-Free Zone. To Egypt, experience has shown that the establishment of nuclear-weapon-free zones in areas of tension and conflict does indeed contribute to easing tensions, preventing conflict and developing peaceful relations and mutual cooperation.

4. For a nuclear-weapon-free zone to come about in any area of the world, there must inevitably exist a regional commitment to this objective. Such a commitment is unquestionably present in the Middle East, as is testified to by the adoption, on an annual basis, of a consensus resolution of the General Assembly on the matter. Egypt considers that it is imperative that this commitment be turned into concrete actions if it is to have a determining and positive impact on the Middle East peace process.

5. Making negotiations on a Middle East nuclear-weapon-free zone contingent upon an ever growing list of prerequisites is a sure recipe for failure. In Egypt's view, the only prerequisite for negotiations to commence on the establishment of a zone in the Middle East is that States in the region have the political will to sit together and commence negotiations. Viewing the Middle East nuclear-weapon-free zone as no more than an act that "sets the seal on a durable peace" is not a vision that is shared by Egypt. A Middle East nuclear-weapon-free zone is in and of itself a confidence-building measure and an act of political reconciliation. Furthermore, arguing that fully fledged relations of peace must exist before talks on such a zone can commence, while at the same time choosing to maintain a nuclear option, clearly appear as two mutually exclusive and contradictory arguments. In a region as volatile as the Middle East no solid and durable peace can be achieved while a nuclear threat continues to loom over the region.

6. Egypt will continue to pursue the objective of establishing a nuclear-weapon-free zone in the Middle East at the earliest time and will, in this context, continue to seek the support of regional and extraregional States. It will pursue its April 1990 initiative for the establishment, in the Middle East, of a zone free from all weapons of mass destruction. In its endeavours it will continue to seek the support of the international community and of all those who are committed to ridding the world, both at the regional and global levels, of the threat of nuclear weapons.

ISRAEL

[Original: English]

[17 July 1997]

1. Israel has been supporting the establishment, in due course, of the Middle East as a mutually verifiable nuclear-weapon-free zone, freely negotiated by all States of the region. Israel has emphasized, however, its view on the modalities of such a zone and on the prerequisites that have to be fulfilled prior to the establishment of such a zone.

2. As early as 1974, an ad hoc group of qualified governmental experts under the auspices of the Conference on Disarmament prepared a comprehensive study on the question of nuclear-weapon-free zones that was subsequently submitted to the General Assembly. It would be pertinent to quote from that report, especially on the issue of the relevance of regional considerations in the context of the principles for the establishment of nuclear-weapon-free zones:

> "Conditions in which nuclear-weapon-free zones might be viable and might enhance security are bound to differ considerably from region to region. The security considerations and perceptions of States vary and it is not possible or realistic, a priori, to set out precise guidelines for the creation of zones, since it is for Governments themselves to decide on their security requirements and to determine their immediate and long-term national interests."

3. Furthermore, Israel subscribes to the following statements made by the Secretary-General in his reports on this issue:

> "Confidence must be built on all sides. Confidence that military solutions to political problems are excluded ... Most important of all, there must be progress in solving the fundamental conflicts in the region. Without such progress, technical measures in the nuclear area or on other security problems will hardly be given serious thought." (A/45/435, para. 110).
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> "A radical transformation, step by step, must be effected in the military and political relationships of the entire area. The peoples of the Middle East must develop confidence that the political conflicts that surely will remain are going to be settled - and settled equitably - without resort to force or the threat of force ..." (ibid., para. 151).
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> "A nuclear-weapon-free zone cannot be conceived or implemented in a political vacuum, separate from the process of natural reconciliation." (A/48/399, para. 22).

4. Indeed, a review of the formation of nuclear-weapon-free zones in other regions indicates that each region had its own characteristics, leading to a tailor-made solution specific to every zone. However, absolute prerequisites prevailed prior to the establishment of the zones. These prerequisites included, inter alia, peaceful relations and mutual confidence, economic cooperation and a general belief in the enhancement of common interests through institutional regional frameworks.

5. The urge to embark on such an endeavour was, in all cases, a result of regional initiative and direct negotiations culminating in a consensus. Even then, it required a long and arduous process to attain the goal of nuclear-weapon-free zones.

6. Turning to the Middle East, the situation is unfortunately different. At this time, several regional States are still in a formal state of war with Israel. Moreover, some regional States still refuse to forswear war as a means of settling disputes and attempt, directly or indirectly, to impede the peace process - including by means of terror. Hence, it is evident that at the present moment many of the prerequisites necessary for meaningful discussions on arms control in the Middle East, including the establishment of a nuclear-weapon-free zone, are still missing.

7. A credible nuclear-weapon-free zone in the region of the Middle East can only set the seal on a durable peace; it cannot possibly precede it. Any attempt to discuss the establishment of such a zone, or to apply an agenda that does not reflect the reality of the region, is premature and is bound to fail.

8. The process of achieving peace requires the building of confidence, political reconciliation based on peace agreements among all States of the region, peaceful relations among all peoples in the region, economic cooperation, as well as eventual arms control and disarmament regimes where priority is assigned to systems that experience has proven to be destructive and

destabilizing. This is, by necessity, a step-by-step process, where primacy is given unconditionally to achieving peace.

9. In conclusion, Israel believes that every region requires its own tailored arrangements for the establishment of a nuclear-weapon-free zone, and that it is "not possible or realistic, a priori, to set out precise guidelines for the creation of zones, since it is for Governments themselves to decide on their security requirements". It is only through free negotiations among all States of the region, in due course and after peace is sealed, that there will be real prospects for achieving the objective of a nuclear-weapon-free zone.

NETHERLANDS*

[Original: French]

[4 June 1997]

JOINT RESPONSE OF THE EUROPEAN UNION TO GENERAL ASSEMBLY RESOLUTION 51/41 ON THE ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

1. The General Assembly adopted resolution 51/41 on the establishment of a nuclear-weapon-free zone in the region of the Middle East without a vote at its fifty-first session. Paragraph 10 "requests the Secretary-General to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report, or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East".

2. The European Union believes that the establishment of internationally recognized nuclear-weapon-free zones, based on arrangements freely negotiated between the States of the region in question, strengthens global and regional peace and security.

3. The European Union notes with satisfaction that the General Assembly adopted resolution 51/41 on the establishment of a nuclear-weapon-free zone in the region of the Middle East at its fifty-first session without a vote.

4. It agrees with the overall analysis contained in chapters III and IV of the Secretary-General's study referred to in resolution 51/41 and finds the measures discussed therein interesting, particularly the transparency and confidence-building measures.

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* On behalf of the European Union and the associated countries Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland Romania, Slovakia and Slovenia. Iceland and Norway have also aligned themselves with this reply.

5. The European Union notes the progress made in the field of arms control and disarmament since that study was issued, in particular the conclusion of the Convention on Chemical Weapons in 1993 and its entry into force, the signing on 11 April 1996 of the Treaty of Pelindaba establishing a nuclear-weapon-free zone in Africa and the conclusion of the Comprehensive Nuclear-Test-Ban Treaty opened for signature by States on 24 September 1996.

6. The accession of all the States of the Middle East region except Israel to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the signing by Israel, Egypt, United Arab Emirates, Iran, Jordan, Kuwait, Qatar and Yemen of the Comprehensive Nuclear-Test-Ban Treaty are major events that may considerably facilitate the opening of negotiations on the establishment of a nuclear-weapon-free zone in the Middle East.

7. The European Union is convinced that universal accession by States to the multilateral disarmament and non-proliferation treaties (NPT, Biological Weapons Convention, Convention on Chemical Weapons, Comprehensive Nuclear-Test-Ban Treaty) is essential for the strengthening of international and regional peace and security. Therefore, the European Union calls on all the States of the region which have not yet done so to become party to all these instruments.

8. Concerning security assurances, mentioned in chapter IV C of the Secretary-General's study among the measures facilitating the establishment of a nuclear-weapon-free zone in the Middle East, the European Union notes that Security Council resolution 984 (1995), of 11 April 1995, and the statements of the five nuclear-weapon States it addresses demonstrated the will of the nuclear-weapon States. This resolution deals with negative security assurances (whose formulation has been coordinated among the nuclear-weapon States) as well as, for the first time, positive security assurances.

9. The European Union notes that the accession of the nuclear-weapon States to the relevant protocols of the treaties on nuclear-weapon-free zones would lead towards the embodiment in a treaty of those negative security assurances they give to non-nuclear-weapon States. A protocol of that type could be annexed to the treaty establishing a nuclear-weapon-free zone in the Middle East for the purpose of giving to the States parties to the treaty negative security assurances in treaty form.

10. Regarding the boundaries of a nuclear-weapon-free zone in the Middle East, it must be noted that part of the zone as envisaged in the report of the Secretary-General will be included in the African nuclear-weapon-free zone. Egypt and Libya, as well as Algeria, Morocco, Mauritania, the Sudan and Tunisia, signed the Treaty of Pelindaba at Cairo on 11 April 1996, along with the other African States. The African nuclear-weapon-free zone is supported by the nuclear-weapon States, which have all signed the protocols annexed to the Treaty of Pelindaba that have been opened for their signature.

11. The question of the scope of a treaty on a nuclear-weapon-free zone in the Middle East and its linkages with the proposed zone free of weapons of mass destruction, together with the available options for verification of such a treaty, will be taken up during the negotiations among the States of the region concerned. The European Union calls on those States to begin discussions

without delay with a view to opening those negotiations. Such discussions and the start of negotiations would in themselves be factors in the dialogue that could significantly improve security and stability in the region.

SYRIAN ARAB REPUBLIC

[Original: Arabic]

[5 June 1997]

1. Given the principles underlying its policy of promoting international peace and security in accordance with the purposes and principles of the United Nations and as part of its general perspective on complete and comprehensive disarmament, the Syrian Arab Republic has spared no effort in supporting United Nations resolutions on disarmament. In 1968 it acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and agreed to be bound by its safeguards regime. It has declared on numerous occasions that it supports the establishment of a nuclear-weapon-free zone in the Middle East. The Syrian Arab Republic was, moreover, the first to make an official proposal, at the 1989 Paris conference on the prohibition of chemical weapons, that the Middle East should become a zone free of all nuclear, chemical and biological weapons of mass destruction within the framework of the United Nations. Its goal in so doing was to secure for future generations a world in which security and stability prevail and one in which peoples will never again experience the like of that dark period in the history of mankind when nuclear weapons were used at Nagasaki and Hiroshima.

2. With other members of the Group of 21 of the Conference on Disarmament, the Syrian Arab Republic participated on 7 August 1996 in presenting a proposal for a programme of action for the elimination of nuclear weapons. The programme translated the goal of eliminating all nuclear weapons from a rhetorical objective into actual reality, setting forth requirements in terms of active efforts to identify specific measures for the complete elimination of nuclear weapons within a well-defined time-frame and under effective international control pending the achievement of the desired goals through negotiation.

3. The Syrian Arab Republic also participated in formulating the positions adopted by the members of the Movement of Non-Aligned Countries in urging States to conclude agreements on the establishment of nuclear-weapon-free zones in regions in which there are no such arrangements, in accordance with the provisions of the Final Document of the first special session of the General Assembly devoted to disarmament.

4. Further, the Syrian Arab Republic has constantly stressed its strong interest in the establishment of a nuclear-weapon-free zone in the Middle East. We once again voice our deep concern at the insurmountable obstacle that Israel represents to the establishment of such a zone, given its refusal to accede to the Treaty on the Non-Proliferation of Nuclear Weapons. This refusal is still being maintained despite the fact that the international community has repeatedly pointed out that Israel's intransigent position does serious harm to the credibility and universality of the Treaty on the Non-Proliferation of

Nuclear Weapons and prevents the establishment in practice of a nuclear-weapon-free zone in the Middle East however well-intentioned the other parties concerned may be and regardless of the diversity of the papers and formulations presented.

5. In this context, it must be asked how it is possible to establish a nuclear-weapon-free zone in the Middle East without, first and foremost, Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons, Israel being the only State in the region that has not acceded to the Treaty and being determined to retain, increase and further develop its nuclear stockpile.

6. How can we expect to put an end to the arms race with respect to nuclear weapons and other weapons of mass destruction while Israel is alone in the region in having a military nuclear programme that is outside the international non-proliferation regime, thereby posing a serious threat to the security and safety of the peoples of the region for the present and into the future?

7. Does Israel's position not reveal its lack of seriousness and its aversion to the endeavour by the United Nations to establish such a zone, particularly when it demands far-reaching negotiations with each State of the region separately? It is impossible to rid any region of the world of nuclear weapons or any weapons of mass destruction without the consensus of all parties on mechanisms and objectives and on compliance with them.

8. In the light of the foregoing, the Syrian Arab Republic is of the view that any measures and arrangements for the establishment of the nuclear-weapon-free zone in the Middle East for which the relevant United Nations resolutions have called will require the following:

(a) Israel - the only State in the region that possesses nuclear facilities and a nuclear stockpile - should accede to the Treaty on the Non-Proliferation of Nuclear Weapons, place all its nuclear facilities under the safeguards regime of the International Atomic Energy Agency, and eliminate its entire stock of nuclear weapons. All of the foregoing are indispensable if such a zone is to be established;

(b) The United Nations is the appropriate framework for serious talks allowing all States concerned in the Middle East to work together to establish a nuclear-weapon-free zone;

(c) The achievement of a just and comprehensive peace in the Middle East, whose basic requirements include complete Israeli withdrawal from all the occupied Arab territories, would create an appropriate climate for the transformation of the Middle East into a zone free of all weapons of mass destruction and especially nuclear weapons.